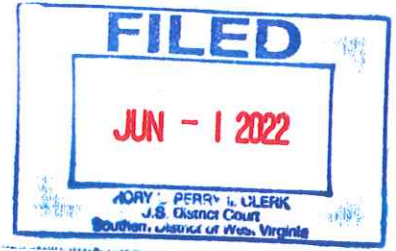


SEALED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2022
JUNE 1, 2022 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:22-cr-00108
21 U.S.C. § 846

TIMOTHY EDWIN PAYNE, JR.

I N D I C T M E N T

The Grand Jury Charges:

From on or about April 1, 2022, to on or about April 8, 2022, in or near Parkersburg, Wood County, West Virginia, within the Southern District of West Virginia, and elsewhere, defendant TIMOTHY EDWIN PAYNE, JR., together with other persons whose identities are both known and unknown to the Grand Jury, knowingly conspired to commit offenses in violation of 21 U.S.C. § 841(a)(1), that is, knowingly and intentionally to possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of an analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as "fentanyl," that is, N-(4-fluorophenyl)- N-[1-(2-phenethyl)-4-piperidinyl] propanamide, also known as para-fluorofentanyl, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 846.

NOTICE OF FORFEITURE

1. The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853, and 28 U.S.C. § 2461(c).

2. Pursuant to 28 U.S.C. § 2461(c), 21 U.S.C. § 853, and Rule 32.2(a) of the Federal Rules of Criminal Procedure, upon the conviction of an offense in violation of 21 U.S.C. § 846, the defendant, TIMOTHY EDWIN PAYNE, JR., shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses and any property used, intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses, including but not limited to the sum of \$24,120.00 in United States currency, more or less.

3. If any of such property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

WILLIAM S. THOMPSON
United States Attorney

By:



JEREMY B. WOLFE
Assistant United States Attorney